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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

YEVGENY FELIX TUCHINSKY,  
KONSTANTIN MIKHAYLOVICH  
TOMILIN, ET AL.,

Defendants.

Case No. 2:19-cr-00394 RJS

**MOTION OF UNITED STATES TO  
EXTEND BRIEFING SCHEDULE ON  
MOTION TO DISMISS**

Judge Robert J. Shelby

The United States, through its attorneys, moves this Court for an order to extend the briefing dates related to defendants; Motion to Dismiss filed on August 14, 2023. ECF No. 480.

On August 15, 2023, the Court set a briefing schedule ordering the United States to file a response on August 21, 2023 to the Motion to Dismiss and the defendants to file a reply, if any, by August 24, 2023. ECF No. 483. The Court set a hearing on the motion for August 28, 2023. The Court continued this hearing to September 15, 2023.

The United States anticipates presenting a Second Superseding Indictment to the grand jury this coming Wednesday, August 23, 2023. The United States has informed both counsel for Messrs. Tuchinsky and Tomlin of its intent and proposed extending the briefing schedule as follows:

In the event the grand jury does not return a Second Superseding Indictment against the defendants, the United States shall file its response on August 23, 2023 to the Motion to Dismiss and the defendants will file, if any, their reply on August 28, 2023.

In the event the grand jury returns a Second Superseding Indictment against the defendants, they will have until August 30, 2023 to file a new or amended motion to dismiss. The United States will have until September 5, 2023 to file a response and the defendants will have until September 8, 2023 to file a reply, if any.

Counsel for both defendant Tuchinsky and defendant Tomilin have no objection to extending the deadlines as proposed in this motion.

Dated this 17th day of August 2023.

TRINA A. HIGGINS  
United States Attorney

*/s/ Cy. H. Castle*

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